

REMARKS

I. Status

The Office Action indicates claims 2-17 to be pending in this Application, with the Office Action indicating claims 2-16 to be withdrawn from consideration.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishida (U.S. Patent Application Publication No. 2004/0090209) in view of Trembley (U.S. Patent Application Publication No. 2004/0036445).

Claim 17 is independent.

II. Substance of Interview Pursuant to 37 CFR 1.133

The Applicant thanks the Examiner for extending the courtesy of a telephonic interview. The participants were the Examiner and the Applicant's representative Angus Gill.

As reflected by the Interview Summary provided by the U.S. Patent and Trademark Office, discussed, for instance, were the aspects of Nishida and Trembley noted in the present response.

III. Rejection of Independent Claim 17 Under 35 U.S.C. 103

The Office Action rejects independent claim 17 under 35 U.S.C. 103(a) as being unpatentable over Nishida in view of Trembley.

However, the Applicant respectfully submits that Nishida and Trembley, taken individually or in combination, fail, for example, to disclose, teach, or suggest:

“... a constant-current control device which performs a first

constant-current control operation for maintaining a first current value and a second constant-current control operation for maintaining a second current value which is larger than the first current value:

a voltage detecting device which detects a voltage drop of the DC output which is caused by a rush current; [and]

... a switching device which switches a constant-current control operation from the first constant-current control operation to the second constant-current control operation when said voltage detecting device detects a voltage drop of the DC output while said constant-current control device performs the first constant-current control operation, and switches a constant-current control operation from the second constant-current control operation to the first constant-current control operation when said temperature detecting device detects that a temperature of the power supply device exceeds a predetermined temperature while said constant-current control device performs the second constant-current control operation”

as set forth in claim 17 (emphasis added).

In contrast, for instance, cited paragraphs [0010] and [0011] of Nishida merely discuss the operation of the constant-voltage circuit 118 being stopped when the charge current detection-circuit 122 detects that the charge current drops under a predetermined value.

On one hand, for example, claim 17 sets forth “detect[ing] a voltage drop of the DC output which is caused by a rush current,” while on the other hand, the drop of the charge current is detected in Nishida.

Further, on one hand, for example, claim 17 sets forth “switch[ing] a constant-current control operation from the first constant-current control operation to the second constant-current control operation” wherein the “first constant-current control operation [maintains] a first current value” and the “second constant-current control operation [maintains] a second current value which is larger than the first current value” (emphasis added), while on the other hand, the operation of the constant-voltage circuit 118 is stopped in Nishida.

Accordingly, for instance, the subjects to be detected and the operations are entirely different between claim 17 and Nishida. The Applicant believes it clear, for example, that the current value of the constant-current control being raised by detecting the voltage drop caused by the rush current is entirely different from the constant-voltage charging operation being stopped by detecting the drop of the charge current.

In further contrast, for instance, cited paragraph [0054] of Nishida merely discusses the charge control circuit 6 changing the constant-voltages E1-E3 in accordance with the battery voltage Vb of the lithium ion battery 11 which is detected by the battery voltage detection circuit 3.

On one hand, for example, claim 17 sets forth “detect[ing] a voltage drop of the DC output which is caused by a rush current,” while on the other hand, the battery voltage Vb of the lithium ion battery is detected in Nishida.

Further, on one hand, for example, claim 17 sets forth “switch[ing] a constant-current control operation from the first constant-current control operation to the second constant-current control operation” wherein the “first constant-current control operation [maintains] a first current value” and the “second constant-current control operation [maintains] a second current value which is larger than the first current value” (emphasis added), while on the other hand, the constant-voltages E1-E3 are changed in Nishida.

Accordingly, for instance, the subjects to be detected and the operations are entirely different between claim 17 and Nishida. The Applicant believes it clear, for example, that the current value of the constant-current control being raised by detecting the voltage drop caused by the rush current is entirely different from the constant-voltage sources being changed by detecting the voltage of the battery.

Additionally in contrast, for instance, cited paragraph [0031] of Trembley merely discusses the charge operation being performed only when the temperature of the battery 402a is within a predetermined range.

On one hand, for example, claim 17 sets forth “switch[ing] a constant-current control operation from the second constant-current control operation to the first constant-current control operation when said temperature detecting device detects that a temperature of the power supply device exceeds a predetermined temperature,” while on the other hand, Trembley merely discusses the charge operation being performed only when the temperature of the battery 402a is within a predetermined range.

In view of at least the foregoing, the Applicant respectfully submits that claim 17 is in condition for allowance.

IV. Additional Matters

The Applicant respectfully reminds the Examiner to provide explicit indication that the Information Disclosure Statement submitted November 3, 2004 and the Information Disclosure Statement submitted November 17, 2005 have been considered.

Further, the Applicant respectfully reminds the Examiner to provide full indication of acknowledgement of the certified copy of the priority document.

(Continued on next page)

CONCLUSION

The Applicant respectfully submits that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees which may be required for this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-5307.

Furthermore, in the event that a further extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

By:



Angus R. Gill
Registration No. 51,133

Dated: December 3, 2007

Mailing Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, New York 10281-2101
(212) 415-8700
(212) 415-8701 (Fax)